PTO/SB/30 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

REQUEST FOR CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

TRANSMITTAL

Application Number	09/938,039
Filing Date	08/23/2001
First Named Inventor	Karl W. Terry et al.
Group Art Unit	1712 RECEIVED
Examiner Name	M. Zimmer JUL 0 8 2004
Attorney Docket Number	7124.015

See The Ame	Acan inventors Protection Act of 1999 ((AIPA).			apparate Dell
NOTE: 37 C.F. wish to consider filing the patent term adjus	r Continued Examination (RCI R. § 1.114 is effective on May 29, 2000. If g a continued prosecution application (CPA streent provisions of the AIPA. See Chang g. 16, 2000); Interim Rule, 65 Fed. Reg. 1 ctice.	If the above-identified appl A) under 37 C.F.R. § 1.53 ges to Application Exemina	ication was filed prior to M (d) (PTO/SB/29) instead o tion and Provisional Appli	lay 29, 2000, ap I a RCE to be e cation Practice,	oplicant may eligible for Final Rule, 65
1. Submission req	uired under 37 C.F.R. § 1.114	1			
Consid	submitted der the amendment(s)/reply ur intered amendment(s) referred to above w		.116 previously file	ed on	· · · · · · · · · · · · · · · · · · ·
ii. 🔲 Consid	der the arguments in the Appe	eal Brief or Reply B	rief previously filed	d on	
b. 🔽 Enclosed i. 🔲 Amen	dment/Reply vit(s)/Declaration(s)				•
=	ation Disclosure Statement (I	DS)			
	on of action on the above-iden f months. (Period o				
a. The Direct Deposit A	ree under 37 C.F.R. § 1.17(e) is required b tor is hereby authorized to cha ccount No. 04-1700 ee required under 37 C.F.R. §	arge the following f		overpayme	ents, to
=	sion of time fee (37 C.F.R. §§ 1.1 Information Disclosure Statemen	36 and 1.17)			·
b. Check in t	he amount of \$ by credit card (Form PTO-2038 end	enclosed	l 		
	SIGNATURE OF APPL	ICANT, ATTORNEY	, OR AGENT REQU	IIRED	
Name (Print /Type)	Douglas J. Sorocco		Registration No. (Att	omey/Agent)	43,145
Signature			Date		
	CERTIFICATE OF MAILING CERTIFY that this correspond on to the United States Pa	dence, on the da	ite shown below		ND DELIVERE
Douglas J. Sorocco, Re		Signature	<u> </u>		8, 2004 Date
registered representa		Jigilatare			ROVED

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APPROVED

for

PTO DEPOSIT ACCOUNT CHARGE ACCOUNT#204-1700

HAND DELIVERED BY NOREEN FABIAN ON: July 8, 2004

PATENT ATTY. DKT. NO. 7124.015

	IL	1 IHE	UNITE	ED STA	IES PATEN	NI AND	TRADEMARK OF	FFICE	
Applic	ants: K	arl W.	Terry	et al.)		J 542	CEIVED
Serial	No.: 09	9/938,0	039)	Group No.: 1712	2	_ 0
Filed:	Augus	st 23, 2	001)	Examiner: M. Zi	mmer	SUPTERMORE
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Comm P.O. E	top RC nissione Box 145 ndria, V	er for F 50							
		RE	EQUE	ST FOR	CONTINUE (37 C.F.R		MINATION (RCE)	
1.					continued e tified applica		tion, in accordanc	e with 37	C.F.R.
	Warning:	application	n. Accordin	gly, the Office	ide for the continued e will not permit an a claims previously cla	pplication to	of an application and not exar obtain continued examination o amined.	mination of a conti on the basis of cla	nuing ms that are
	Warning:	under 35 U application	U.S.C. 161 of for a utility	has not been or plant pate	mailed. The provision tiled under 35 U.S	ons of 37 CF S.C. 111(a);	fice action under 35 U.S.C. 132 R 1.114 also do not apply (1) to (2) an international application olication for a design patent. (3	o a provisional app filed under 35 U.S	lication, an
	Note:	There is n	o limit to the	e number of ti	imes the fee for cont	inued examii	nation may be submitted. Notic	ce of March 10, 20	00.
	Note:	Unlike a co	ontinuation	application, a	continued examinal	tion request	can utilize the mailing procedur	re of 37 CFR 1.8.	
				TIME F	REQUEST I	S BEIN	G MADE		
2.	This re	equest	is beir	ng subm	itted:				
	i.	[]	Prior	to aban	donment of	the app	lication		
	ii.	[X]	Paym	ent of th	ne Issue Fe	e:			
			[]	Prior to	o payment c	of the Is	sue Fee		

				[]	Issue Fee has been paid but a petition under §1.313 has been granted		
iii.		[] Prior to a decision on appeal to the Board of Patent Appeals and Interferences						
				[]	A notice is being separate sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.		
No	te:					not sent to the Board, then may refuse to vacate a decision rendered after the filing of the cognition by the Office of the RCE request under § 146.		
iv.		[] Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or [] Commencement of a civil action under 35 U.S.C. 146						
				[]	Prior to the filing of such appeal or commencement of civil action.		
				[]	Such appeal or commencement of civil action has been terminated.		
						ENCLOSURES		
Er	nclos	sec	l he	rev	vith:			
						or non-final Office Action under 35 U.S.C. 132 is outstanding, the submission must meet .111 37 C.F.R. § 1.114(b).		
[X	.]	Int	form	at	ion l	Disclosure Statement (37 CFR § 1.98)		
[X]	Form PTO-1449						
[]	Amendment						
[]	Ne	ew A	۱rg	ume	ents		
[]	Ne	ew e	vic	dend	ce in support of patentability		
[X]	Other: references consisting of pages.						

3.

FEE FOR REQUEST

4. This application is on behalf of:

[] Small Entity (and status is still as small entity) \$355.00

[X] Other than a small entity: \$750.00

Continued Prosecution Request Fee: \$750.00

NOTE: The fee for continued examination under § 1.114 (§ 1.17(e) does not include additional claims fee.

The filing fee for a continued prosecution application filed under this paragraph is: (i) the basic filing fee as set forth in § 1.16; and any additional § 1.16 fee due based on the number of claims remaining in the application after entry of any amendment accompanying the request for an application under this paragraph and entry of any amendments under § 1.116 unentered in the prior application which Applicant has requested to be entered in the continued prosecution application.

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d) has been calculated as shown below:

	CLAIMS AFTER RESPONSE	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	SMALL ENTITY ADDITIONAL RATE FEE	OTHER THAN SMALL ENTITY ADDITIONAL RATE FEE
TOTAL		20		X9 = \$00.00	X18 = \$
INDEP.		3		X40 = \$00.00	X80 = \$
PRESE	NTATION OF	MULTIPLE DE	X135 = \$00.00	X270 = \$	
TOTAL	ADDITIONAL	FEE	\$00.00	\$00.00	

[X]]	No additional fee is required	
		Or	
ſ	1	Total Additional Fee Required:	\$

EXTENSION OF TIME

6.		Evtor	scio	n of	Time				
Ο.		Extension of Time							
	The proceedings herein are for a patent application, and the provisions C.F.R. § 1.136(a) apply.								
		(a)) [] Applicant petitions for an extension of time, the fees for which set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of richecked below. PLEASE CONSIDER THIS A PETITION THEREFOR.						
		EXTEN (N		ON F	FOR	Fee for other than small entity	Fee for small entity		
[]	One	mo	onth		\$110.00	\$55.00		
]]	Two	mo	onth	S	\$390.00	\$195.00		
]]	Thre	e n	nont	hs	\$890.00	\$445.00		
]]	Four	m	onth	s	\$1,390.00	\$695.00		
		[] An extension for months has already been secured, and the fee paid therefor of \$ Is deducted from the total fee due to the total months of extension now requested.							
		Extension fee due with this request: \$							
		OR							
		a.]]	Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that Applicant inadvertently overlook the need for a petition and fee for extension of time.				

TOTAL FEE(S) DUE

WARNING: The fee for continued examination under § 1.114 may not be deferred.

7.	The	The total fee(s) is/are:									
	Con	Continued Prosecution Fee (§ 1.17e) \$_750.00									
	Fee(s) for additional claims (if any) (§ 1.16(b)-(d)	\$								
	Exte	nsion of Time fee (if any) (§ 1.17(a)(1)-(4)	\$								
	Infor	mation Disclosure Statement	\$_180.00								
		PAYMENT OF FEES DUE									
8.	Plea	se pay the fee(s) for this continued examination	application as follows:								
	[X]	The Commissioner is hereby authorized to ch Continued Prosecution fee to Deposit Accour									
	[] The Commissioner is hereby authorized to charge \$.00 to cover for the additional claims to Deposit Account No. 04-1700.										
	[]	[] The Commissioner is hereby authorized to charge \$t for the Extension of Time to Deposit Account No. 04-1700.									
	[X]	The Commissioner is hereby authorized to che fee for the Information Disclosure Statement 1700.									
	[X]	The Commissioner is hereby authorized to chewhich may be required, or credit any overpay 04-1700.									
		INVENTORSHIP									
9.	This	Application as amended names as inventors:									
	[]	the same inventors as previously designated	for the claims.								
	[]	fewer than the inventors previously designate accompanies this request for the deletion of t									

person or persons who are not inventors of the invention now being claimed.

[] a person not named previously as an inventor and a petition under 37 CFR §1.48 is/has separately [] being filed [] been filed.

Respectfully submitted,

Douglas J. Sorocco, Reg. No. 43,145 DUNLAP, CODDING & ROGERS, P.C.

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